

### **Amendments to the Specification**

Please replace the paragraph beginning at page 1, line 5, with the following rewritten paragraph:

-- Quercus sp.--

Please replace the paragraph beginning at page 1, line 12, with the following rewritten paragraph:

--The present invention relates to a new and distinct variety of *Quercus nuttallii*, which has been given the varietal name 'QNSTC'. I discovered my new tree in 2001 as a chance seedling in a cultivated area of a nursery in Oconee County, Georgia. This cultivated area also contained other seedling oak trees. The new variety differed from these other seedling oak trees growing in this area by its dense, upright branching habit and consistent red fall color.--

Please replace the paragraph beginning at page 4, line 7, with the following rewritten paragraph:

-- My new tree has not been observed under all growing conditions, and thus, variations may occur as a result of different growing conditions. The following is a detailed description of my new variety of my new tree with color terminology in accordance with the Royal Horticultural Society (RHS) ~~color chart~~ Colour Chart published by the Royal Horticultural Society in London. The observations are of the original tree growing at the observation site in Oconee County, Georgia.--